

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Mr. Charmaine Smith, #03324-016,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Civil Action No.: 3:10-420-TLW-JRM
	)	
M.M. Mitchen, Warden,	)	
	)	
Respondent.	)	
	)	

**ORDER**

On February 23, 2010, the petitioner, Mr. Charmaine Smith (“petitioner”), proceeding pro se, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. #1). The case was referred to United States Magistrate Judge Joseph R. McCrorey pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. # 21). On October 21, 2010, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that this action be dismissed with prejudice for lack of prosecution. (Doc. # 21). The petitioner filed no objections to the report. Objections were due on November 8, 2010.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this

Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. It is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED**. (Doc. # 21). For the reasons articulated by the Magistrate Judge, this action is **DISMISSED** with prejudice for lack of prosecution.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
United States District Judge

January 20, 2011  
Florence, South Carolina